

Chapter 17
Cultural Resources

Chapter 17. Cultural Resources

INTRODUCTION

The term “cultural resources” is a more generic term for what are defined under federal environmental laws as “historic properties” and under California environmental laws as “historical resources.” These resources can include, but are not limited to, archaeological sites from both prehistoric and historic times, historical places, important or exemplary buildings or engineered structures, modified landscapes, or locations of culturally important community events.

Alternative 4, “EBMUD-Only Lower American River Delivery,” and Alternative 5, “Sacramento River Delivery,” in this REIR/SEIS include facilities that are very similar to those discussed for Alternative 3, “Joint Water Supply,” in the 1997 DEIR/EIS. The 1997 DEIR/EIS therefore includes a full discussion of the environmental setting for these alternatives, and that information is summarized below as appropriate. Because Alternative 6, “Freeport East Delivery,” Alternative 7, “Freeport South Delivery,” and Alternative 8, “Bixler Delivery,” include facilities in locations that were not described in the 1997 DEIR/EIS, additional information is provided in the “Affected Environment” section below.

AFFECTED ENVIRONMENT

Alternative 4: EBMUD-Only Lower American River Delivery

The description of the affected environment and known cultural resources associated with Alternative 4 are identical to those described in the 1997 DEIR/EIS for Alternative 3. In summary, the intake structure and pipeline for this alternative could impact resources associated with historical downtown Sacramento, rail lines, agriculture, gold mining, and water projects. Specific examples of historic resources near the project area include the Sacramento Valley

Railroad, the Road to Jackson, and the Natoma Water Company.

A total of 25 cultural resources were identified during previous cultural resource investigations (Peak 1974; Johnson 1974; Johnson 1975; Bienes, West & Schulz 1981; Historic Environmental Consultants 1981; O'Connor and Wiant 1982; Decater 1983; McIvers 1985; Theodoratus 1987; PAR 1987; Praetzellis and Praetzellis 1990; Lindstrom 1990; 1991; BioSystems 1991; Der 1995; and Warner 1995). These sites include historical artifact scatters, structural remains, architectural resources, districts, roads, bridges, railroad routes, and other physical remains. At least five of these historical resources have either been listed or determined eligible for listing on the National Register of Historic Places (NRHP), and several more have been designated as a California Inventory of Historic Resources, California Register of Historic Resources, or Sacramento Official Register site. Ninety percent of these identified historical cultural resources are concentrated in the urban portion of the alignment (Historic Environmental Consultants 1981; Derr 1995; Lindstrom 1990; 1991; Seidel 1989; and JRP Historic Consultants 1993).

Alternative 5: Sacramento River Delivery

With the exception of the portion from the Sacramento River intake to Jibboom Street and then north then east onto Richard Boulevard to the intersection with Bercut Drive, cultural resources associated with this alternative are discussed in the 1997 DEIR/EIS and are summarized above under Alternative 4. A field reconnaissance inspection of the Sacramento River to Richards Boulevard portions of this alternative on 22 August 2000 indicates the presence one known cultural resource: the Sacramento River WTP.

A study by Beak Consultants (1997) has identified the Sacramento River WTP as a historical resource:

“At the time of its construction in 1921, the plant was considered the most modern of its kind in the United States. It was dedicated by Mrs. Calvin Coolidge, First Lady, who threw the switch that started the pumps. The Classical Revival structures still stand at 101 Bercut Drive, and are in the process of being evaluated for the City of Sacramento Register.”

Given the proximity of this portion of this alternative to the confluence of the Sacramento and American Rivers, the potential for currently unknown historic and prehistoric period resources is high.

Alternative 6: Freeport East Delivery

A field reconnaissance inspection of the alternative alignment was conducted on 22 August 2000.

The western portion of this alternative, primarily west of Florin Road, was suburbanized in the last half of the twentieth century. The portion of the alternative east of Florin Road retains its rural character, with features dating from the middle nineteenth century through the present. Prehistoric use of the entire area would be expected, although archaeological resources surviving to the present would likely be in areas around perennial drainages. Note that most of these drainages have been historically rerouted into ditches and culverts and do not exist in their original locations.

Potential cultural resources for this alternative include the Western Pacific Railroad (approximately one mile west of Franklin Boulevard), the UPRR (near French Road), and the Central California Traction Railroad. The Central California Traction Railroad was discussed in detail in the 1997 DEIR/EIS. Other potential resources include roads and ditches crossing the alternative alignment, road features

such as bridges and culverts along the alignment, architectural structures adjacent to the alignment (particularly near Freeport and east of Florin Road), and the county dump between Vineyard Road and Excelsior Road. Overall, the potential for resources from both the prehistoric and historic periods is low.

Alternative 7: Freeport South Delivery

A cultural resources record search was conducted at the California Historical Resources Information System (CHRIS) on 16 August 2000 for the portions of this alternative in San Joaquin County north of Highway 12. A CHRIS record search was not completed for this portion of this alternative in Sacramento County or the portions in San Joaquin County that are south of Highway 12. A reconnaissance of the entire project alternative was conducted on 22 to 23 August 2000.

Known Resources

For the area of the CHRIS record search, small portions (less than 10 percent) of the alternative alignment have been surveyed for cultural resources. Six cultural resources are known to be within or adjacent to this alternative:

- CA-SJO-56, a prehistoric burial and habitation site recorded in 1929.
- CA-SJO-57, a prehistoric burial and habitation site recorded in 1929.
- CA-SJO-58, a prehistoric occupation site recorded and reported to have been destroyed in 1929.
- CA-SJO-63, a prehistoric site recorded and reported destroyed in 1929, but relocated and rerecorded in 1974.
- Fisher's Stable and Barn, a nineteenth century historic site.
- Culvert, a historic road feature dating to 1938.

Potential Resources

The area covered by this alternative has been dominated by ranching and agriculture for the last 150 years. It is crossed by major perennial

streams and rivers that were utilized by area residents long before the historic period. It is also crossed by roads and ditches that are potentially historic. Much of this alternative is on Thornton Road, an early major route between Stockton and Sacramento, and there are a number of architectural structures and highway features along this road that are potential resources. Overall, the potential for cultural resources from both the prehistoric and historic periods is high.

Alternative 8: Bixler Delivery

A field reconnaissance inspection of the alternative alignment was conducted on 23 August 2000. A pedestrian cultural resources survey of a portion of this alternative (Mokelumne Aqueducts) at Bixler was conducted by PAR Environmental Services in 1995 (Syda and Maniery 1996), and this report was reviewed.

While exact resource locations are not identified in the PAR Environmental Services report, it appears that there have not been resources located in the footprint of the Mokelumne Aqueducts in the vicinity of Bixler, Werner, and Indian Slough. The cultural resources reconnaissance for this document identified a number of potential resources between Werner and Bixler. These include a bridge, a road, and several architectural structures. Indian Slough itself may be a resource relating to the reclamation of the Delta. The potential for prehistoric period resources in this area is moderate, as such resources are known from similar settings in the general area.

The treated water and brine disposal pipelines have moderate potential for prehistoric period resources and moderate potential for historic period resources. The reconnaissance of this area identified the Port Chicago Highway, the UPRR, and the Atchison Topeka and Santa Fe Railroad as potential resources. The pipelines would cross these potential resources.

Regulatory Environment

The regulatory environment for cultural resources is fully described in the 1997 DEIR/EIS. However, new federal regulations (36 CFR 800) for compliance with Section 106 of the National Historic Preservation Act took effect on 17 June 1999. The Advisory Council on Historic Preservation has provided guidance to federal agencies that if the compliance process for a project began under the old regulations, it should be completed using the new regulations.

The new regulations modify the Section 106 review process by introducing new streamlining while incorporating statutory changes mandated by the 1992 amendments to the National Historic Preservation Act. The regulations:

- Give greater deference to decisions made by federal agencies and State Historic Preservation Officers.
- Focus Advisory Council on Historic Preservation actions on larger issues, such as monitoring federal preservation program trends and overall performance.
- Define and strengthen the roles of Indian tribes and other Native Americans.
- Recognize the role of applications.
- Encourage early compliance.

ENVIRONMENTAL CONSEQUENCES

Significance Criteria

The significance criteria outlined in the 1997 DEIR/EIS were applied in the evaluation of the alternatives in this revision.

Under federal regulations, adverse effects need only be analyzed if a resource meets the eligibility criteria for listing on the National Register of Historic Places. Federal regulations define an adverse effect on a resource when the effect may diminish the integrity of the property's location, design, setting, materials,

workmanship, feeling, or association. Adverse effects on historic properties can include:

- Physical destruction or alteration of all or part of the property.
- Isolation of the property from or alteration of the property's setting when that character contributes to the property's qualification for the National Register of Historic Places.
- Introduction of visual, audible, or atmospheric elements that are out of character with the property or that alter its setting.
- Neglect of a property resulting in its deterioration or destruction.
- Transfer, lease, or sale of the property.

Under California regulations, adverse effects need only be analyzed if a resource meets the eligibility criteria for listing on the California Register of Historical Resources. Impacts are considered to be significant when they may change the significance of a resource. Demolition, replacement, substantial alteration, and relocation of historical resources are examples of actions that may change the significance of a historical resource.

None of the resources, known or potential, from any of the alternatives have been evaluated for their eligibility for listing in the National Register of Historic Places or the California Register of Historical Resources.

Significant Impacts and Mitigation

All Alternatives

The impacts and mitigation requirements associated with all the alternatives are identical to those described for Alternatives 2 and 3 in the 1997 DEIR/EIS. These impacts include:

- Disturbance to known cultural resources.
- Disturbance of unidentified cultural resources.

These impacts and appropriate mitigations are described below.

Impact: Disturbance to Known Cultural Resources. Construction of the pipeline alignments and related facilities could affect the known cultural resources described above under "Affected Environment" and listed in Table 17-1 and in the 1997 DEIR/EIS. Generally, the impacts of all the alternatives would be similar. An impact on known cultural resources is significant for Alternatives 4 through 8. To reduce this impact to a less-than-significant level, Mitigation Measure 17-1 can be implemented.

Mitigation Measure 17-1: Prepare and Implement a Cultural Resources Significance Evaluation, Effects Analysis, and Mitigation Plan for Known Cultural Resources. As required by Section 106 of the NHPA, ACHP Regulation 36 CFR Part 800: Protection of Historic Properties, and CEQA, known cultural resources must be avoided or their significance evaluated according to federal and state criteria. The impacts of the project alternatives on these resources must then be determined. The following steps should be taken to fulfill these requirements:

- Known cultural resources should be avoided if doing so is feasible.
- If avoidance is not feasible, then the significance of these resources should be assessed using federal and state criteria. If the resources are determined to be significant, impacts on the resources should be subject to mitigation in consultation with the SHPO and the ACHP. For archaeological sites, mitigation usually consists of data recovery excavations to retrieve the data that would be lost through disturbance. For extant cultural features, mitigation usually consists of photographic, graphical, and text documentation to record the data that would be lost through disturbance.

Impact: Disturbance of Unidentified Cultural Resources. Buried or previously unidentified cultural resources are likely to be discovered along all the intake, pipeline, and

Table 17-1. Inventory of Known Cultural Resources along Alternatives

| Alternative 6 (based on field reconnaissance) | Alternative 7 (based on field reconnaissance and partial CHRIS record search) | Alternative 8 (based on field reconnaissance) |
|---|---|---|
| <i>No known resources; no known field survey. Overall potential for prehistoric and historic period resources is low.</i> | <p>CA-SJO-56: Prehistoric burial and habitation archaeological site.</p> <p>CA-SJO-57: Prehistoric burial and habitation archaeological site.</p> <p>CA-SJO-58: Prehistoric occupation archaeological site.</p> <p>CA-SJO-63: Prehistoric archaeological site.</p> <p>Fisher's Stable and Barn: nineteenth century resource.</p> <p>Culvert: historic road feature (1938).</p> <p><i>Overall potential for cultural resources from both the prehistoric and historic periods is high.</i></p> | <i>No known resources; partial field survey. Overall potential for prehistoric and historic period resources is moderate.</i> |

treatment facilities for Alternatives 4 through 8. The alternatives are proposed in areas considered sensitive for undiscovered cultural resources. Additionally, most portions of the alignments have not been surveyed for resources. An impact on buried or unidentified cultural resources is significant. To reduce this impact to a less-than-significant level, Mitigation Measures 17-2 and 17-3 can be implemented.

Mitigation Measure 17-2: Prepare and Implement a Cultural Resources Inventory, Significance Evaluation, Effects Analysis, and Mitigation Plan for Unidentified Cultural Resources. As required by procedures outlined in Section 106 of the NHPA, ACHP Regulation 36 CFR Part 800: Protection of Historic Properties, and CEQA, cultural resources must be located and evaluated and the impacts of the project on these resources must be determined. The following steps can be taken to fulfill these requirements:

- Consult with Native Americans as identified by the California Native American Heritage Commission to identify cultural resources of importance to the Native American community. Consult with representatives of

other cultural groups, as identified by the CHRIS and State Historic Preservation Officer, to identify cultural resources of importance to these groups.

- Prepare a programmatic agreement pursuant to 36 CFR 800.14(b) as described in 36 CFR 800.13, "Planning for Subsequent Discoveries," to govern the actions to be taken when historic properties are discovered during implementation of an undertaking. The plan would outline the steps to be taken to resolve any adverse effects upon historic properties.
- Conduct a records search at the CHRIS to identify known cultural properties within the project region (records searches have been completed).
- Conduct a cultural resources survey in unsurveyed areas as identified and recommended by the CHRIS.
- Avoid newly identified cultural resources if it is feasible to do so.
- If avoidance is not feasible, implement Mitigation Measure 17-1.

Mitigation Measure 17-3: Prepare and Implement a Plan for the Unanticipated

Discovery of Cultural Resources. Because of changes to the landscape of the project region during prehistoric and historical periods, the limitations of surface survey techniques, and obstructions to the visibility of the ground surface, previously unknown cultural resources likely will be discovered during pipeline construction. A plan to manage these resources should be developed and at minimum should include the following components:

- If cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during construction activities, the construction contractor should:
 - Stop work in that area within 100 feet of the find.
 - Notify EBMUD and Reclamation.
 - Retain a qualified archaeologist to assess the significance of the find, and, if necessary, to develop appropriate treatment measures in consultation with the State Historic Preservation Officer.
- If human bone is found as a result of any construction activities, the construction contractor will stop work and notify the Sacramento, San Joaquin, or Contra Costa county coroner in compliance with the California Public Resources Code Section 5097. On federal land, the federal land manager will be notified.